

**MINUTES OF A REGULAR MEETING OF THE
COMMON COUNCIL OF THE CITY OF JASPER, INDIANA
APRIL 22, 2015**

A meeting of the Common Council of the City of Jasper, Indiana, was held on Wednesday, April 22, 2015, in the Council Chambers of City Hall located at 610 Main Street, Jasper, Indiana.

Call to Order. Presiding Officer Mayor Terry Seitz called the meeting to order at 7:00 p.m.

Roll Call.

Clerk-Treasurer Juanita S. Boehm called the roll.

Mayor Terry Seitz	Present
Council members:	
Gregory Schnarr	Present
David Prechtel	Present
Thomas Schmidt	Present
Earl Schmitt	Present
Kevin Manley	Present
Randall Buchta	Present
Raymond Howard	Present
City Attorney Renee Kabrick	Present
Clerk-Treasurer Juanita S. Boehm	Present

Boehm announced that in order to have a quorum for the meeting, a majority of the council members must be in attendance. All seven council members were in attendance which is a majority; therefore, there was a quorum for the meeting.

Pledge of Allegiance. Mayor Seitz invited all those present to join him in reciting the Pledge of Allegiance.

Approval of the Minutes.

The following minutes were distributed to and examined by the Council:

1. March 18, 2015 regular common council meeting
2. April 2, 2015 special meeting

A motion was made by Council member David Prechtel and seconded by Council member Gregory Schnarr to approve the minutes as presented. Motion carried 7-0.

Condolences. Mayor Seitz on behalf of the City offered condolences to Council member Randall Buchta on the recent passing of his mother Dorothy Buchta.

Students. Three Forest Park high school students were in attendance as part of their economics class.

Public hearing. Mayor Seitz opened the public hearing concerning the petition to rezone 30th Street Park and Victory Villa O. Eckerle's 6th Addition from R-2 (Residential) and R-3 (Residential) to a Planned Unit Development (PUD).

A notice of the public hearing appeared in the Herald on April 10, 2015.

City Attorney Renee Kabrick explained that the area is being rezoned to a planned unit development (PUD) in advance of the sale of this property to maximize the use of the property. She said the concerns of the neighboring property owners were addressed at the plan commission meeting.

Mayor Seitz then asked for public comments. No comments were received.

Thereafter, a motion was made by Council member Thomas Schmidt and seconded by Council member Earl Schmitt to close the public hearing. Motion carried 7-0.

Amendment to the zoning ordinance-Ordinance No. 2015-11. Mayor Seitz said the council needs to consider the proposal concerning an amendment to the Zoning Ordinance for the PUD enabling ordinance. City Attorney Renee Kabrick said the language in the current ordinance needed to be tweaked.

Thereafter, a motion was made by Council member Gregory Schnarr and seconded by Council member Kevin Manley to accept the proposal and reference the ordinance, Ordinance No. 2015-11. Motion carried 7-0.

Rezone ordinance-2015-12 Mayor Seitz said the council needs to consider the proposal to rezone 30th Street Park and Victory Villa O. Eckerle's 6th Addition from R-2 (Residential) and R-3 (Residential) to a Planned Unit Development (PUD).

A notice of intent to consider the rezoning proposal was faxed to the news media and posted at city hall

Thereafter, a motion was made by Council member Thomas Schmidt and seconded by Council member Kevin Manley to accept the proposal to rezone the property and adopt Ordinance No. 2015-12. Motion carried 7-0.

Fiber installation update. Andy Brelage with Smithville gave a fiber installation update on the municipal project and on GIGA city as a whole.

Review tax abatement compliance form [CF-1/PP]-Kimball Hospitality Inc. Copies of the Compliance with Statement of Benefits Form for personal property for 2015 pay 2016 from Kimball Hospitality Inc were previously submitted to the council members for their review.

Ken Kemker, Brady Werne, and Tony Ferguson were present representing Kimball Hospitality Inc. Kemker said they estimated adding 20 employees and 50 have been added.

Council member Gregory Schnarr noted that the retained number of employees and the salary information is not completed in Section 3. Werne said he will provide that information.

A motion was made by Council member Kevin Manley and seconded by Council member David Prechtel to find that Kimball Hospitality Inc is in substantial compliance with its statement of benefits for personal property [CF-1/PP]. Motion carried 7-0.

Review tax abatement compliance form [CF-1/PP]-Kimball Furniture Group Inc. Copies of the Compliance with Statement of Benefits Form for personal property for 2015 pay 2016 from Kimball Furniture Group Inc were previously submitted to the council members for their review.

Steve Brewster, Steve Buechler, and Brady Werne were present representing Kimball Furniture Group Inc.

Council member Gregory Schnarr said on last year's form, Kimball showed they hired 18 of the 30 employees they estimated to add for the project. This year the form shows they added 17 of the 30. Buechler explained they are paying 24 temporary employees through a temporary agency in addition to the 17 employees that were hired. Schnarr also noted that the retained number of employees and the salary information is not completed in Section 3.

A motion was made by Council member Thomas Schmidt and seconded by Council member Earl Schmitt to find that Kimball Furniture Group Inc is in substantial compliance with its statement of benefits for personal property [CF-1/PP] with the stipulation they provide the retained information for Section 3. Motion carried 7-0.

Review tax abatement compliance forms [CF-1]-Indiana Furniture Industries.

Copies of the Compliance with Statement of Benefits Form for real property and for personal property for 2015 pay 2016 from Indiana Furniture Industries Inc were previously distributed to the council members for their review. Along with the CF-1 forms was a project summary explaining how the change in the market has affected their business in regards to the original tax abatement estimates.

Bernie Kreilein and Bret Ackerman were present representing Indiana Furniture Industries Inc.

Last year the CF-1 forms said 270 of 287 employees have been retained and only 3 of the 7 additional employees have been hired. This year 280 of the 287 employees have been retained and 5 of the 7 additional employees have been hired. They also explained that even with the change in the market, their business

continues to be strong and that they have made reasonable effort to be in substantial compliance.

With a December 31, 2015 project completion date, Council member Gregory Schnarr asked what IFI's expectations are with regards to hiring additional employees. Kreilein said their expectations are to meet the additional and retained employees that were estimated for the project.

Thereafter, a motion was made by Council member Kevin Manley and seconded by Council member Randall Buchta to find that Indiana Furniture Industries Inc is in substantial compliance with its statement of benefits for personal property and for real property [CF-1/PP and CF-1/real property]. Motion carried 7-0.

Review tax abatement compliance forms [CF-1]-Jasper Engine Exchange Inc.

Copies of the Compliance with Statement of Benefits Form for real property and for personal property for 2015 pay 2016 from Jasper Engine Exchange Inc were previously distributed to the council members for their review.

Ralph Schwenk representing Jasper Engine Exchange Inc was present. The estimated project completion date is December 31, 2017. They have hired 74 of the estimated additional 100 employees. Schwenk said the remaining 25 positions are on a hiring list.

Council member Gregory Schnarr said Jasper Engines estimated the payroll for 100 additional employees at \$3,215,000 which averages to \$32,150 per employee. The actual payroll for 74 additional employees is \$1,862,486 which means the remaining 26 employees would need to earn about \$52,000. Schwenk said they pay about \$12 per hour.

Thereafter, a motion was made by Council member David Prechtel and seconded by Council member Gregory Schnarr to find that Jasper Engine Exchange Inc is in substantial compliance with its statement of benefits for personal property and for real property [CF-1/PP and CF-1/real property]. Motion carried 7-0.

Review tax abatement compliance form [CF-1/PP]-Stens LLC. Copies of the Compliance with Statement of Benefits Form for personal property for 2015 pay 2016 from Stens LLC were previously submitted to the council members for their review.

Mike Land representing Stens was present. Stens has hired 28 of the 98 additional employees they projected to hire. Land said their intention is to hit their goal. The estimated salaries for the 176 retained employees according to the 2012 statement of benefits showed \$6,642,000. Now the actual salaries for the 176 retained employees shows that same amount. Council member Gregory Schnarr asked Land to clarify the salary amounts and why they are 70 jobs off. Land said he will provide the City with the adjusted salary information.

[Note: The CF-1/PP form shows the estimated project completion date as December 31, 2016. The original statement of benefits showed December 31, 2013 as the completion date.]

Because the council felt Stens needed to provide better clarification, a motion was made by Council member Randall Buchta and seconded by Council member Raymond Howard to table consideration of the CF-1/PP form until the next meeting. Motion carried 7-0.

Utility Service Board. General Manager of Utilities Gerald ‘Bud’ Hauersperger gave a report on the regular monthly Utility Service Board meeting held on April 20, 2015. A copy of the Utility Service Board minutes is supplied to each council member.

The Utility Service Board is recommending a water utility rate increase of 17%. This 17% proposed increase would raise the average residential customer’s monthly bill by \$6.07, from \$35.56 to \$41.63. The last rate increase was done 5 years ago.

Utility Service Board Chairman Rick Stradtner reported that 4.5% of the 17% increase comes from both the original Beaver Dam modifications and the possible new Beaver Spillway modifications. The UV project accounts for another 5.1%, and the remaining 7.4% comes from normal operating expenses, and lost revenue, which started dropping in 2008 during the recession.

**ORDINANCE NO. 2015-13 AN ORDINANCE AMENDING ORDINANCE NO. 2002-54 ENTITLED AN ORDINANCE ESTABLISHING FEES FOR ACTIVITIES OF THE JASPER DEPARTMENT OF PARKS AND RECREATION
GUTZWEILER DOG PARK [POOCH’S PLAYGROUND]**

This ordinance establishes a membership fee schedule for the dog park effective May 1, 2015.

City Attorney Renee Kabrick said a packet for those who want to use the park has been created. The membership fee information is included in the packet.

A motion was made by Council member David Prechtel and seconded by Council member Earl Schmitt to consider the ordinance for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Gregory Schnarr and seconded by Council member Thomas Schmidt to read the ordinance by title only. Motion carried 7-0. The city attorney so read the ordinance. Thereafter, a motion was made by Council member Randall Buchta and seconded by Council member Earl Schmitt to pass and adopt Ordinance No. 2015-13. Motion carried 7-0.

ORDINANCE NO. 2015-14 AN ORDINANCE FIXING A SCHEDULE OF REVISED RATES AND CHARGES FOR THE SALE OF WATER BY THE JASPER MUNICIPAL WATER UTILITY [AMEND ORDINANCE NO. 2015-2]

This ordinance revises the water utility rates and charges for the billings which occur after July 1, 2015.

A motion was made by Council member Randall Buchta and seconded by Council member Gregory Schnarr to read the ordinance by title only on first reading. Motion carried 7-0. The city attorney so read the ordinance. Thereafter, a motion was made by Council member Kevin Manley and seconded by Council member Earl Schmitt to approve the ordinance on first reading. Motion carried 7-0.

RESOLUTION NO. 2015-4 A REIMBURSEMENT RESOLUTION PERMITTING REIMBURSEMENT OF ENGINEERING, ARCHITECTURAL AND FINANCIAL ANALYSIS COSTS [HOOSIER DESK PROJECT]

This resolution gives permission to reimburse the EDIT Fund with Riverboat Fund money for the City's portion of the studies for the Hoosier Desk project.

A motion was made by Council member Gregory Schnarr and seconded by Council member Earl Schmitt to consider the resolution for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Randall Buchta and seconded by Council member Raymond Howard to read the resolution by title only. Motion carried 7-0. The city attorney so read the resolution. Thereafter, a motion was made by Council member David Prechtel and seconded by Council member Earl Schmitt to pass and adopt Resolution No. 2015-4. Motion carried 7-0.

Property at 2nd and Main Streets. City Attorney Renee Kabrick said the property at 2nd and Main Streets is included in the list of real estate to be sold at the April 30th auction. She said she spoke with Andy Fritch and his counsel regarding the disposition of this property that consists of a part of Second Street and part of Lot 9. Mr. Fritch has stated that he is interested in pursuing the vacation of Second Street in order to obtain title to half of that existing right-of-way adjacent to his property. Vacating this area will impact the legal description and could impact the appraisal. Kabrick said the council needs to determine whether or not to remove this property from the auction.

A motion was made by Council member Randall Buchta and seconded by Council member Thomas Schmidt to remove the Headquarters parking lot from the auction. Motion carried 7-0.

Wage determination hearing and lawsuit update. City Attorney Renee Kabrick said since a new wage determination hearing was held for the storm water project, the original lawsuit was dismissed but, since the second wage determination hearing resulted in the same decision of using the non-union rates, the trades union filed a new lawsuit against the City.

Adjournment. There being no further business to come before the board, a motion was made by Council member Thomas Schmidt and seconded by Council member Earl Schmitt to adjourn the meeting. The motion carried 7-0 and the meeting adjourned at 8:17 p.m.

The minutes were hereby approved _____ with X without corrections or clarification this 20th day of May, 2015.

**Mayor Terry Seitz,
Presiding Officer**

Attest: _____
Juanita S. Boehm, Clerk-Treasurer